

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 10177-118-28	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/US2004/023187	International filing date (day/month/year) 16/07/2004	(Earliest) Priority Date (day/month/year) 17/07/2003
Applicant SCIMED LIFE SYSTEMS, INC.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☒ Certain claims were found unsearchable (See Box II).

3. ☐ Unity of invention is lacking (see Box III).

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

ATTORNEY DOCKET NUMBER: 10177-118
SERIAL NUMBER: 10/622,293
REFERENCE: C52

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regards to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. _____

☐ as suggested by the applicant.

☐ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

- b. ☐ none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

national Application No

PCT/US2004/023187

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61L27/38 A61L27/36 C12N5/00 C12N5/06 C12N5/10

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61L C12N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, BIOSIS, EMBASE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 99/37337 A (ST JUDE MEDICAL) 29 July 1999 (1999-07-29) the whole document	1-41
A	US 5 916 265 A (HU JIE) 29 June 1999 (1999-06-29) the whole document	1-41
A	WO 02/096476 A (FISHER JOHN ; INGHAM EILEEN (GB); BOOTH CATHERINE (GB); UNIV LEEDS (GB) 5 December 2002 (2002-12-05) the whole document	1-41
A	WO 96/32905 A (BISHOPRIC NANETTE H ; DOUSMAN LINDA (US); ST JUDE MEDICAL (US); YAO YU) 24 October 1996 (1996-10-24) the whole document	1-41
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☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

19 October 2004

Date of mailing of the international search report

29/10/2004

Name and mailing address of the ISA

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Mossier, B

INTERNATIONAL SEARCH REPORT

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>WO 02/14480 A (UNIV DUKE ; KOH JENNIFER (US); PRABHAKAR VIKAS (US); MITCHELL SHANNON) 21 February 2002 (2002-02-21) the whole document</p>	1-41

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2004/023187

Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
Although claims 1 - 41 are directed to a method of treatment of the human/animal body, respectively do not exclude surgical treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

national Application No

PCT/US2004/023187

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9937337	A	29-07-1999	AU 2465899 A BR 9907273 A CA 2319000 A1 CN 1289259 T EP 1051204 A2 JP 2002500929 T WO 9937337 A2	09-08-1999 04-09-2001 29-07-1999 28-03-2001 15-11-2000 15-01-2002 29-07-1999
US 5916265	A	29-06-1999	NONE	
WO 02096476	A	05-12-2002	GB 2375771 A CA 2447847 A1 EP 1392372 A1 WO 02096476 A1 US 2004157206 A1	27-11-2002 05-12-2002 03-03-2004 05-12-2002 12-08-2004
WO 9632905	A	24-10-1996	AU 5564996 A EP 0821573 A1 WO 9632905 A1 US 5855620 A ZA 9603151 A	07-11-1996 04-02-1998 24-10-1996 05-01-1999 24-04-1997
WO 0214480	A	21-02-2002	US 2002115208 A1 AU 8496801 A CA 2419817 A1 EP 1315796 A2 WO 0214480 A2	22-08-2002 25-02-2002 21-02-2002 04-06-2003 21-02-2002